

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CLARENCE C. EVANS,	:	CONSOLIDATED UNDER
	:	MDL 875
Plaintiff,	:	
	:	
	:	
v.	:	
	:	
	:	
A-C PRODUCT LIABILITY TRUST,	:	
et al.,	:	
	:	E.D. Pa. Civil Action No.
Defendants.	:	2:11-cv-30468

O R D E R

AND NOW, this **5th** day of **February, 2016**, upon consideration of the Motions for Summary Judgment (Judicial Estoppel) of the Thompson Hine Shipowner Defendants¹ (ECF No. 100) and North American Trailing Co. (ECF No. 102), and for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that the motions are:

(1) **DENIED** as to the arguments related to judicial estoppel; and

¹ These Defendants are: (1) Apex Marine Corp., (2) Westchester Marine Shipping Company, Inc., (3) Liberty Maritime Corporation, (4) Maersk Line, Limited, (5) Connecticut Transport, Inc., (6) Ogden Marine Inc./OMI Corp., (7) OMI Champion Transport, Inc. (8) Potomac Transport, Inc., (9) Rio Grande Transport, Inc., (10) Interocean Management Corp., (11) Waterman Steamship Corporation, and (12) Monticello Tanker Company. (ECF No. 100-1.)

(2) **DENIED** as to the arguments related to the real party in interest/standing.

It is **FURTHER ORDERED**, in accordance with the accompanying memorandum, that the Clerk of this Court shall (a) make a copy of this order and the accompanying memorandum and have said copy filed on the docket of Plaintiff's bankruptcy case in the Bankruptcy Court for the Southern District of Alabama (No. 07-bk-12484-MAM); (b) ascertain the identity of the Chapter 13 standing trustee; and (c) have served upon the trustee a copy of said order and memorandum at his/her last known address.

AND IT IS SO ORDERED.

/s/ Eduardo Robreno
EDUARDO C. ROBRENO, J.